

GP1812



100-148

Terminal Disclaimer
Attorney Docket No. 6362-9380

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Harpold et al.

Group Art Unit: 1812

Serial No.: 07/938,154

Filed: November 30, 1992

Examiner: Ulm, J.

For: HUMAN NEURONAL NICOTINIC ACETYLCHOLINE RECEPTOR
COMPOSITIONS AND METHODS EMPLOYING SAME

100 TL 03/13/97 07/02/94
11-0-00 11-0-00

TERMINAL DISCLAIMER

Assistant Commissioner for Patents
Washington, D.C. 20231

32/T.D.
Silla
5/13/97

Sir:

The owner, THE SALK INSTITUTE BIOLOGICAL/INDUSTRIAL ASSOCIATES, INC. (hereinafter SIBIA) of 100 percent interest in the above-captioned application, hereby disclaims the terminal part of any patent granted on the above-captioned U.S. application Serial No. 07/938,154 that would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, of prior U.S. Patent No. 5,369,028. The owner hereby agrees that any patent so granted on the above-captioned application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This Agreement runs with any patent granted on the above-captioned application, and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the above-captioned application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37

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C.F.R. §1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

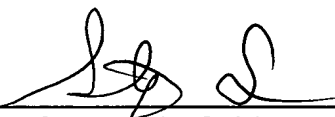
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned states that I am an attorney of record in this case for Petitioner, and am authorized to sign on behalf of the Petitioner. I hereby declare that to the best of my knowledge and belief, title is in the assignee, SIBIA, identified above.

Enclosed is a check including \$110.00 for the fee for filing of this Terminal Disclaimer, as required by 37 C.F.R. § 1.20(d).

Dated: February 20, 1997

By: _____


Stephanie Seidman
Attorney of Record
Reg. No. 33,779